

Third District Court of Appeal

State of Florida, July Term, A.D. 2009

Opinion filed July 29, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D09-267

Lower Tribunal No. 07-240

**Grassy Key Beach Subdivision, Inc. f/k/a The Expressway
Companies, Inc., a Florida Corporation,**
Appellant,

vs.

**City of Marathon, a Florida Municipality, and Department of
Community Affairs, an Agency of the State of Florida,**
Appellees.

An Appeal from the Circuit Court for Monroe County, David J. Audlin, Jr.,
Judge.

Lehtinen Riedi Brooks Moncarz and Dexter Lehtinen, Felipe Moncarz and
Claudio Riedi, for appellant.

Stearns Weaver Miller Weissler Alhadeff & Sitterson and Mark D. Solov,
Jimmy Morales and Jose Jimenez, for appellee, City of Marathon.

Richard E. Shine, Assistant General Counsel, for appellee, Department of
Community Affairs.

Before WELLS and SALTER, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed. See *Monroe County v. Ambrose*, 866 So. 2d 707 (Fla. 3d DCA 2003).